

**IN THE UNITED STATE DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION**

UNITED STATES OF AMERICA
PLAINTIFF

V.

JOEL A. SMITHERS
DEFENDANT

)
)
)
) **CASE NO. : 1:17-CR-027-JPJ-PMS**
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)

**MOTION TO APPEAL JUDGE SARGENT’S ORDER DENYING COUNSEL’S
MOTION TO WITHDRAW**

Comes Now Don M. Williams Jr., counsel for the Defendant, and moves this Honorable Court to appeal Judge Sargent's Order denying counsel's motion to withdraw as counsel of record for the Defendant Joel A. Smithers. The Defendant has discharged counsel and directed him to file said motion and appeal. Counsel agrees that conflicts have arisen that require him to file said motion to withdraw at this point

Wherefore, the Defendant, Joel A. Smithers and his Counsel, Don M. Williams Jr., ask that Don M. Williams Jr. be withdrawn as counsel for the Defendant and the Defendant be appointed new counsel and the trial continued and rescheduled.

RESPECTUFLY SUBMITTED

JOEL A. SMITHERS

BY COUNSEL

BY: /s/Don M. Williams, Jr.

DON M. WILLIAMS, JR.
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CERTIFICATE OF SERVICE

I, Don M. Williams, Jr., hereby certify that I have this the 23rd day of April, 2019, electronically filed the foregoing with the Clerk of the Court using CM/ECF system which will send notification of such filing to the Assistant United States Attorney.

/s/ Don M. Williams, Jr.

DON M. WILLIAMS, JR.